



UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

JPM E

'07 MJ 8959

UNITED STATES OF AMERICA)

Plaintiff,)

v.)

Niel MORGAN)

Defendant.)

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF:Title 18 U.S.C. § 2252(a)(4)(B)
Possession of Images of Minors
Engaged in Sexually Explicit Conduct

The undersigned complainant being duly sworn states:

On or about July 17, 2007, within the Southern District of California, defendant Neil Stuart MORGAN did knowingly possess one or more matters, that is computer hard drive(s) and computer media containing digital and computer images which contained visual depictions, including files "04sitfuck1" and "sabnetfck1" that had been mailed, shipped and transported in interstate and foreign commerce, and which were produced using materials which have been mailed, shipped and transported in interstate and foreign commerce, by any means including by computer, the production of which involved the use of a minor engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and which visual depictions were of such conduct; in violation of Title 18, United States Code, Section 2252(a)(4)(B).

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Timothy Ballard, Special Agent
U. S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 4TH DAY
OF DECEMBER 2007.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

JPM

1 UNITED STATES OF AMERICA

2 v.

3 Nathan MORGAN

4 **STATEMENT OF FACTS**

5 I am a Senior Special Agent ("SSA") with the United States Department of Homeland
6 Security, Immigration and Customs Enforcement ("ICE") and am currently assigned to the Office
7 of the Assistant Special Agent in Charge, El Centro, CA ("ASAC/CA"), Cybercrimes division, and
8 have been in this position since December 2003. This complaint is based on my own investigation
9 as well as information received from fellow ICE Agents and other law enforcement officers.

10 Starting in or about April 2007, ICE agents conducted Internet searches for child pornography
11 videos being downloaded and shared on peer-to-peer file share networks. By June 2007, it was
12 revealed that child pornography videos were allegedly being possessed and distributed from the
13 residence of Jerry MORGAN: 1601 Drew Rd, Space 39, El Centro, CA. On July 17, 2007, a federal
14 search warrant for child pornography was executed at the MORGAN residence.

15 During the search, Special Agent Timothy Ballard conducted a non-custodial interview of
16 Jerry MORGAN's son, Nathan MORGAN. After Nathan MORGAN was advised of his Miranda
17 rights, to which he acknowledged and waived, he admitted to having downloaded child pornography
18 and to having masturbated to images of children as young as 8 years of age. One of the computers
19 seized and analyzed was a Gateway desktop, which was taken from Nathan MORGAN's bedroom
20 and which Nathan MORGAN claimed was his. It was to this computer that Nathan MORGAN
21 claimed to have downloaded the child pornography. The computer analysis revealed hundreds of
22 alleged child pornography videos/images contained on the computer. One of those videos was a file
23 titled "hussyfanPTHC_11yomanyorgasms!!!!!!", which is a video depicting naked prepubescent girls
24 engaged in masturbation. The children also fondle and perform oral sex on each other. The children
25 also speak to each other in what appears to be an Eastern European language.
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